

REMARKS

Reconsideration of this application in light of the present amendment and remarks is respectfully requested. In the outstanding office action, claims 1-14 are pending in the application. Claims 1-14 are rejected.

Claims 1-6, 8, 9, and 14 were rejected under 35 U.S.C. 103(a) as being unpatentable over Appleby (U.S. 5,813,222) in view of Teitel (U.S. 4,211,537).

Claims 7 and 10-13 were rejected under 35 U.S.C. 103(a) as being unpatentable over Appleby (U.S. 5,813,222) in view of Teitel (U.S. 4,211,537), and further in view of Teitel (US 4,302,217).

RESPONSE TO THE OFFICE ACTION

In response to the office action, claims 11-13 were amended. New claims 15-21 were added. Claims 1-10 and 14 were unchanged.

In response to the Applicant's obligation under 37 C.F.R. 1.56 and further in compliance with 35 U.S.C. par. 102 (f) and (g) and 35 U.S.C. 103, the subject matter of the various claims was commonly owned at the time the invention was made.

Applicant notes that Applicant has not received a Notice of Draftsperson's Patent Drawing Review (PTO-948) for this case. Applicant respectfully requests Examiner to forward such document when available.

FORMAL MATTERS

Objection to the Claims:

In response to the Examiner's objection to claims 11-13 for informalities, Applicant has rewritten claims 11-13 to be dependent upon claim 10 for clarity as requested.

SUBSTANTIVE MATTERS**Claim Rejections - 35 U.S.C. § 103(a):**

The rejection of Claims 1-6, 8, 9, and 14 under 35 U.S.C. 103(a) as being unpatentable over Appleby (U.S. 5,813,222) in view of Teitel (U.S. 4,211,537) is respectfully traversed and reconsideration and withdrawal of the rejection is respectfully requested at this time. The rejection of Claims 7 and 10-13 under 35 U.S.C. 103(a) as being unpatentable over Appleby (U.S. 5,813,222) in view of Teitel (U.S. 4,211,537), and further in view of Teitel (US 4,302,217) is also respectfully traversed and reconsideration and withdrawal of the rejection is respectfully requested at this time.

Applicants respectfully submit that there is no suggestion nor motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify or combine the teachings of Appleby (U.S. 5,813,222) with the teachings of Teitel (U.S. 4,211,537) or with the teachings of Teitel (US 4,302,217). Applicants further respectfully submit that the references, considered as a whole, do not suggest the desirability and thus the obviousness of making the combination.

Appleby (U.S. 5,813,222) describes a “Method and Apparatus for Heating a Catalytic Converter to Reduce Emissions.” (see title) The invention of Appleby (U.S. 5,813,222) “relates generally to the field of catalysis for the reduction of emissions from internal combustion engines.” (see col. 1, lines 8-10) The invention of Appleby (U.S. 5,813,222) provides a method and apparatus for reducing undesirable emissions from an internal combustion engine. (see col. 3, lines 52 – 54).

Teitel (U.S. 4,211,537) describes “A Hydrogen Supply Method.” (see title) The invention of Teitel (U.S. 4,211,537) describes a method for supplying hydrogen using a “combination of a metal hydride hydrogen storage and microcavity hydrogen storage.” (see col 1, lines 5-8). Teitel (U.S. 4,211,537) does not describe nor suggest the use of such a method in any way related to internal combustion engines.

Teitel (US 4,302,217) is a continuation in part of Teitel (U.S. 4,211,537). It describes a “Hydrogen Supply System.” (see title) The invention of Teitel (US 4,302,217) includes the same system as previously described herein. Teitel (US 4,302,217) does not describe nor suggest the use of such a system in any way related to internal combustion engines.

Obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either explicitly or implicitly in the references themselves or in the knowledge generally available to one of ordinary skill in the art. "The test for an implicit showing is what the combined teachings, knowledge of one of ordinary skill in the art, and the nature of the problem to be solved as a whole would have suggested to those of ordinary skill in the art." In re Kotzab, 217 F.3d 1365, 1370, 55 USPQ2d 1313, 1317 (Fed. Cir.2000).

Applicant therefore respectfully submits that it would not have been obvious to combine or modify the teachings of Appleby (U.S. 5,813,222) with the teachings of Teitel (U.S. 4,211,537) or with the teachings of Teitel (US 4,302,217). Reconsideration and withdrawal of the rejection of Applicant's claims 1-14 under 35 USC 103(a) is respectfully requested at this time.

New Claims

Applicants have herein added new claims 15-21. Applicants respectfully submit that new claims 15 through 21 do not introduce any new matter into the specification.

The other references of record have been reviewed and applicant's invention is deemed patentably distinct and nonobvious over each taken alone or in combination.

For the foregoing reasons, applicants respectfully request that the above rejections be withdrawn.

Inasmuch as this amendment distinguishes all of the applicants' claims over the prior art references, for the many reasons indicated above, passing of this case is now believed to be in order. A Notice of Allowance is earnestly solicited.

No amendment made was related to the statutory requirements of patentability unless expressly stated herein. No amendment made was for the purpose of narrowing the scope of any claim, unless applicant has argued herein that such amendment was made to distinguish over a particular reference or combination of references.

If the Examiner believes that there are any informalities which can be corrected by Examiner's amendment, or in the event that the Examiner deems the present application non-allowable, a telephone call to the undersigned at (954) 723-6449 is respectfully solicited.

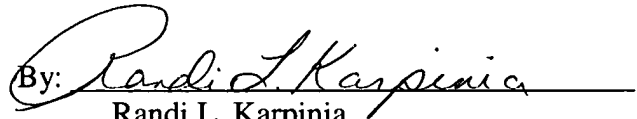
Authorization is hereby given to charge any fees, or credit overpayment necessitated by actions taken herein to Deposit Account 50-2117.

Respectfully submitted,

SEND CORRESPONDENCE TO:

Motorola, Inc.
Law Department

Customer Number: 24273

By: 
Randi L. Karpinia
Attorney of Record
Reg. No.: 46,148
Telephone: 954-723-6449
Fax No.: 954-723-5599
Email: Randi.dulaney@motorola.com